

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 13-4003-02-CR-C-FJG
)	
KENNETH DALE WITHERELL,)	
)	
Defendant.)	

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

Defendant Kenneth Dale Witherell by consent, appeared before the undersigned on April 22, 2014, and pursuant to Rule 11 of the Federal Rules of Criminal Procedure, Local Rule 72(c)(1)(j), and 28 U.S.C. § 636, and has entered a plea of guilty to Counts Four and Five of the Second Superseding Indictment filed on March 19, 2014. After cautioning and examining Defendant, under oath, in accordance with the requirements of Rule 11, it was determined that the guilty plea was made with full knowledge of the charges and the consequences of pleading guilty, was voluntary, and that the offenses to which Defendant has plead guilty is supported by a factual basis for each of the essential elements of the offense.

IT IS, THEREFORE, RECOMMENDED that the plea of guilty be accepted and that defendant Witherell be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its filing will bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

Matt J. Whitworth

MATT J. WHITWORTH
United States Magistrate Judge

April 22, 2014
Jefferson City, Missouri